

10/5/2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Eaddy et al.

Serial No.: To Be Assigned Group Art Unit:

File Date: Concurrently Herewith Examiner:

For: Novel Compounds

Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicants request that the references identified on Form PTO-1449 appended hereto be considered by the Examiner and officially made of record in accordance with the provisions of 37 CFR 1.97

☐ Copies of the references are enclosed:

☐ Copies of the references were submitted in parent application _____ (37 CFR 1.98(d))

☒ A copy of the International Search Report which issued on International Application No. PCT/US04/032918 is submitted herewith. All of the publications cited in the International Search Report are listed on the attached form PTO-1449 and Applicants understand that copies have been supplied to the U.S. Patent Office by the International Bureau.

A. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the above application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).

OR

☐ The Information Disclosure Statement submitted herewith is being filed before the mailing of a first office action or after the filing of a Request For Continued Examination under 37 C.F.R. 1.114 (37 C.F.R. 1.97(b)(4)).

B. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** three months of the filing date of the above application or the date of entry into the national stage as set forth in § 1.491 of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last, but **before** the mailing date of either:

- (1) a final action under § 1.113 or
- (2) a notice of allowance under § 1.311, whichever occurs first.

☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

☐ Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under § 1.97(c) (\$180.00).

C. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before the payment of the issue fee. Also enclosed is a copy of the International Search Report which Issued on International Publication No.

In accordance with the requirements of 37 CFR 1.97(d):

Form PTO-1449	U.S. Department of Commerce Patent and Trademark Office	ATTY DOCKET NO. PR60507USW	SERIAL NO. 10725038 To Be Assigned
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use several sheets if necessary)</i>		APPLICANT Eaddy et al.	
		FILING DATE Concurrently Herewith	GROUP

U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Subclass	Translation Yes No
WO-01/77055-A	10 -18 -2001	WO			
WO-01/77057-A	10 -18 -2001	WO			
WO-03/016270-A	02 -27 -2003	WO			
WO-92/04310-A	03 -19 -1992	WO			

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc)*

	SCANLAN T S ET AL.; Differential SERM Activation of the Estrogen Receptors (ERalpha and ERbeta) at AP-1 Sites; Chemistry and Biology, Current Biology; 2001; vol. 8, no. 5; 427-436; London, GB
	WILLSON T. M. ET AL.; 3-U4-(1,2-Diphenylbut-1-enyl)phenylacrylic Acid: A Non-Steroidal Estrogen with Functional Selectivity for Bone over Uterus in Rate; Journal of Medicinal Chemistry; 25-05-1994; vol. 37, no. 11; 1550-1552; American Chemical Society; Washington, US

Examiner Signature	Date Considered
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	